

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SEAN RUSHTON,

Plaintiff,

v.

FBOP, et al.,

Defendants.

Civil Action No. 10-37 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on February 16, 2019 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 14], filed on August 30, 2010, recommended that Plaintiff's case be dismissed for failure to prosecute. Plaintiff was allowed fourteen (14) days from the date of service to file objections and service was made on Plaintiff by certified mail. No objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21<sup>st</sup> day of September, 2010;

IT IS HEREBY ORDERED that the Plaintiff's case is DISMISSED for failure to prosecute.

The Report and Recommendation [Doc. No. 14] of Magistrate Judge Baxter, filed on August 30, 2010, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge